

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	CASE NO. 16-31521
	§	
TRISTREAM EAST TEXAS, LLC,	§	Chapter 11
	§	
DEBTOR.	§	Judge David R. Jones

**ORDER GRANTING COMPLEX CHAPTER 11
BANKRUPTCY CASE TREATMENT**

This bankruptcy case was filed on March 30, 2016. A *Notice of Designation as Complex Chapter 11 Case* was filed on March 31, 2016. After review of the initial pleadings filed in this case, the court concludes that this case appears to be a complex Chapter 11 case. Accordingly, unless the court orders otherwise,

IT IS HEREBY ORDERED:

1. **Service List.** The debtor shall maintain a service list identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required by the Bankruptcy Code or Rules, notices of motions and other matters will be limited to the parties on the service list.

- a. The master service list shall initially include the debtor, debtor's counsel, counsel for the unsecured creditors' committee, the U.S. Trustee for the Southern District of Texas, all secured creditors, the 20 largest unsecured creditors, any indenture trustee, and any party that requests notice;
- b. Any party in interest that wishes to receive notice, other than as listed on the service list shall be added to the master service list by filing and serving the debtor and debtor's counsel with a notice of appearance and request for service.

- c. Parties on the master service list, who have not otherwise consented to service by e-mail, through the act of becoming a registered e-filer in this district, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party's notice of appearance and request for service; in the event a party has not consented to e-mail service, a "hard copy" shall be served by fax or by regular mail.
- d. The initial master service list shall be filed within 3 days after entry of this order. A revised list shall be filed 7 days after the initial master service list is filed. The debtor shall update the master service list, and shall file a copy of the updated master service list, (i) at least every 7 days during the first 30 days of the case; (ii) at least every 15 days during the next 60 days of the case; and (iii) at least every 30 days thereafter throughout the case.

2. **Hearing Days.** The court sets _____ [each week] [every other week, commencing [Month and Day] [each month] at _____ am/pm as the pre-set hearing day and time for hearing all motions and other matters in these cases. The court sets the following dates and times for the next two months as the pre-set hearing date and time for hearing all motions and other matters in these cases at _____ am/pm. Settings for the following months will be published by the court no later than 30 days prior to the first hearing date in the said following months. (There may be exceptions; those exceptions will be noted on the court's internet schedule, available at www.txsb.uscourts.gov.)

3. **Setting Hearings.** All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing, on the next hearing day

that is at least 23 days after the notice is mailed. As a preface to each pleading, just below the case caption, [in lieu of the language required by any Local Bankruptcy Rule] the pleading shall state:

**A HEARING WILL BE CONDUCTED ON THIS MATTER
ON _____ AT ____ AM/PM IN COURTROOM ____,
[COURTHOUSE NAME AND ADDRESS], _____
TEXAS.**

**IF YOU OBJECT TO THE RELIEF REQUESTED, YOU
MUST RESPOND IN WRITING, SPECIFICALLY
ANSWERING EACH PARAGRAPH OF THIS PLEADING.
UNLESS OTHERWISE DIRECTED BY THE COURT,
YOU MUST FILE YOUR RESPONSE WITH THE
CLERK OF THE BANKRUPTCY COURT WITHIN
TWENTY-THREE DAYS FROM THE DATE YOU WERE
SERVED WITH THIS PLEADING. YOU MUST SERVE A
COPY OF YOUR RESPONSE ON THE PERSON WHO
SENT YOU THE NOTICE; OTHERWISE, THE COURT
MAY TREAT THE PLEADING AS UNOPPOSED AND
GRANT THE RELIEF REQUESTED.**

4. **Setting Hearings for Expedited or Emergency Relief.** All motions and other matters requiring expedited or emergency hearing shall comply with the usual court requirements for explanation and verification of the need for emergency or expedited hearing. Specifically, if a party in interest has a situation that it believes requires consideration on less than 23-days' notice, or an emergency that it believes requires consideration on less than 5 business days' notice, then the party should file and serve a separate, written motion for expedited hearing with respect to the underlying motion.

5. The court will make its best effort to rule on the motion for expedited or emergency hearing within 24 hours of the time it is presented. If the court grants the motion for expedited or emergency hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by

the court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.

6. Emergency and expedited hearings (and other hearings in limited circumstances) in this case may be conducted by telephone or, where available, video. Parties must request permission to participate by telephone by calling the courtroom deputy, _____ at _____.

7. **Settlement.** If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated) the court may approve the settlement at the hearing without further notice of the terms of the settlement.

8. **Notice and Objections to this Order.** The debtor shall give notice of this order to all parties in interest within 7 days. If any party in interest, at any time, objects to the provisions of this order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses the court may reconsider any part of this order and may grant relief, if appropriate.

SIGNED THIS _____ day of _____, 2016.

UNITED STATES BANKRUPTCY JUDGE

The Clerk shall notice:

Tristream East Texas, LLC (Debtor)
Frank J. Wright (Debtor's counsel)
U.S. Trustee